

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

BENJAMIN THOMAS §
VS. § CIVIL ACTION NO. 1:16-CV-108
WARDEN, USP BEAUMONT §

ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Petitioner Benjamin Thomas, a prisoner confined at the United States Penitentiary in Beaumont, Texas, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends dismissing the petition without prejudice for want of prosecution.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report and recommendation of the Magistrate Judge (document no. 3) is **ADOPTED**. A

final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

So Ordered and Signed

Sep 14, 2016



Ron Clark, United States District Judge